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FISCAL IMPACT STATEMENT

LS 6267

BILL NUMBER: HB 1256

NOTE PREPARED: Nov 20, 2008

BILL AMENDED:

SUBJECT: Electronic Communication Time.

FIRST AUTHOR: Rep. Thompson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: This bill provides that a court: (1) may grant a custodial parent, a noncustodial parent, or a grandparent electronic communication time with a child if electronic equipment is reasonably available; and (2) may not use the availability of electronic communication time as a factor to justify or support relocation of a child. The bill also provides that electronic communication time: (1) must supplement and not be a replacement or substitute for a custodial parent's custody or a noncustodial parent's parenting time with the child; and (2) may not be a factor in the calculation of child support.

Effective Date: July 1, 2009.

Explanation of State Expenditures: This bill allows the court to order a probation department or any licensed child placing agency to supervise electronic communications between a child and a child's custodial parent, noncustodial parent, or grandparent. The Indiana Parenting Time Guidelines currently allow for communications between a child and parent, including e-mail. The Indiana Judicial Center (IJC) reports that courts currently order electronic communications as a part of visitation for certain children.

Background Information- The Division of State Court Administration reports that if a noncustodial parent has been convicted of a crime involving domestic or family violence that was witnessed or heard by the noncustodial parent's child, the Indiana Parenting Time Guidelines do not apply. In these circumstances, judges can currently use their discretion in creating a parenting time order depending on any perceived threat to the child. If this order requires supervised communication between child and noncustodial parent, arrangements can be made to have either a relative supervise the communication or a private supervisor could be hired to monitor the communication. Any fees needed to pay for the private supervisor would be paid by

the custodial parent, noncustodial parent, or both depending on the judge's order.

The Department of Child Services (DCS) reports that currently, if a judge orders supervised communication between a noncustodial parent and the child, DCS monitors the correspondence. DCS monitors correspondence between noncustodial parents and their children when the noncustodial parent has been convicted of a crime involving domestic or family violence.

The IJC also reports that supervision of visits can occur at varying locations (for example, at a relative's house or at a library). Fees associated with the visitations may vary as a result. Individuals (i.e., custodial parent, noncustodial parent, or grandparent) would be responsible for payment of any fees associated with electronic communication supervised visits. No fiscal impact is anticipated as a result.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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